

Resolution #TC-15-6-7

Approved by the Transportation Commission on June 18, 2015

Devolution of State Highway 6 between Mile post 142 to milepost 149.67 to the Town of Eagle and the Town of Gypsum

WHEREAS, The Department of Transportation owns 7.67 linear miles of Highway in the Town of Gypsum, and Eagle and Eagle County, Colorado identified as State Highway 6 (US 6E);

WHEREAS, Region 3 has determined that abandoning this portion of US 6E would be in the best interest of Colorado taxpayers;

WHEREAS, the Colorado Revised Statutes 43-2-106 (1) (a) provides that the Transportation Commission may determine that a state highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality;

WHEREAS, the (1) Town of Gypsum proposed to take ownership of US 6E from Milepost 142.00 to Milepost 147.7, and (2) Town of Eagle proposed to take ownership of US 6E from Milepost 147.7 to Milepost 149.67, in exchange for a payment from CDOT;

WHEREAS, the payment is anticipated to be less than the amount CDOT reasonably expects to expend to maintain, preserve, or improve this section of US 6E over the next 20 years;

WHEREAS, Colorado Revised Statutes (CRS) 43-2-106 (1) (b) further provides that any county or municipality receiving a payment from CDOT as a result of CRS 43-2-106 (1) (a) shall credit the payment to a special fund to be used only for transportation-related expenditures;

WHEREAS, the Parties desire to enter into an Intergovernmental Agreement (IGA) and agree upon the condition of the abandonment of said highway segment by the State and acceptance by the Towns of Gypsum and Eagle pursuant to the terms and conditions of the IGA;

WHEREAS, the Parties agree to prepare the necessary right-of-way plans to execute the abandonment;

WHEREAS, the governing bodies of the Town of Gypsum and Town of Eagle will adopt a resolution, agreeing to the state's abandonment of the portion of US 6E, agreeing that said highway segment no longer serves the ongoing purposes of the state highway system; committing the Town of Gypsum and Eagle to assume ownership of said highway segment in the "as is" condition;

WHEREAS, Transportation Commission is authorized pursuant to Colorado Revised Statutes (C.R.S) 43-2-106 to make determinations regarding abandonment of State Highways(s) to affected county(ies) or municipality(ies);

NOW THEREFORE BE IT RESOLVED, the Commission herein approves Region 3 to proceed with the devolution of US 6E to the Town of Gypsum and Town of Eagle.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

6-23-15
Date